REMARKS/ARGUMENTS

Claims 1-20 are pending in the application. Claims 1, 8, and 15 have been amended. Reconsideration is respectfully requested. Applicants submit that the pending claims 1-20 are patentable over the art of record and allowance is respectfully requested of claims 1-20.

Applicants would like to thank Examiner Rose for holding a telephone interview with their representative, Janaki K. Davda, on April 3, 2007. During the telephone interview, proposed claim amendments and the Linde and Goiffon references were discussed. No agreement was reached.

Claims 1-20 are rejected under 35 U.S.C. 103(a) as being obvious over Linde et al. U.S. Patent No. 6,799,258) in view of Goiffon et al. (U.S. Patent No. 6,226,792). Applicants respectfully traverse.

Applicants' Specification, at page 3, paragraph 10 describes the problem being addressed as follows:

Because different customers have different needs, different copy services solutions are formed to address the needs. However, it is difficult to keep up with the growing number of copy services solutions. Many of these copy services solutions, given hardware alone, require manual intervention, which is inefficient and leads to human error. Also, current copy services solutions involve writing complex management code for specific copy types that run complex scripts, which are difficult to set up. This is a very time consuming and error prone task for a storage administrator.

To solve this problem, Applicants' claims 1, 8, and 15 describe receiving a document describing the copy services solution, wherein the copy services solution describes *a chain of multiple base copy types*, and wherein the document describes at least one base copy type with an event and an action to be performed for that event, wherein the document is not directly executable, and wherein the base copy types include a continuous base copy type that refers to a base copy services solution in which copying is performed from a first storage to a second storage when data is written on the first storage and a point-in-time base copy type that refers to a base copy services solution in which a copy of data is made at a given point in time.

Additionally, claims 1, 8, and 15 describe converting the document to executable code and executing the code to *perform the base copy services solutions described with the chain of multiple base copy types in the document.*

For example, Applicants' Figures 4A, 4B, and 5 describe example chains of base copy types. As described in the Specification, page 10, paragraph 27, one copy services solution may chain together a continuous base copy type, a point-in-time base copy time, another point-in-time base copy type, and a continuous base copy type.

Applicants have amended claims 1, 8, and 15 to describe that the chain includes multiple base copy types and executing the code to perform the base copy services solutions described with the chain of multiple base copy types in the document. Thus, multiple base copy services solutions are executed based on the received document. Also, Applicants have further amended claims 1, 8, and 15 to distinguish between *a continuous base copy type* that refers to a base copy services solution in which copying is performed from a first storage to a second storage when data is written on the first storage and *a point-in-time base copy type* that refers to a base copy services solution in which a copy of data is made at a given point in time.

On the other hand, the Linde patent is directed to point-in-time volumes (Linde Abstract), while the Goiffon patent is directed to an object management system (Goiffon Abstract). Applicants submit that there is no teaching or motivation to combine the Linde and Goiffon patents. However, even if combined, the combination does not result in Applicants' claimed invention.

The Examiner cites Col. 9, lines 23-28, of the Linde patent as teaching receiving a document describing the copy services solution. Applicants respectfully traverse. The cited portion of the Linde patent describes the storage domain server receiving a read or write request and performing a write to the point-in-time volume, while Col. 9, lines 62-67, describe reading from a point-in-time volume. Applicants respectfully submit that receiving a read or write request for a point-in-time volume does not teach or suggest receiving a document describing the copy services solution, wherein the copy services solution describes a chain of multiple base copy types, and wherein the document describes at least one base copy type with an event and an action to be performed for that event, wherein the document is not directly executable, and wherein the base copy types include a continuous base copy type that refers to a base copy services solution in which copying is performed from a first storage to a second storage when

data is written on the first storage and a point-in-time base copy type that refers to a base copy services solution in which a copy of data is made at a given point in time.

The Goiffon patent at Col. 1, lines 32-40 and Col. 8, lines 5-11, is cited as teaching an event and an action to be performed for that event. At Col. 1, lines 32-40, the Goiffon patent describes that a design is broken into code components wherein each component is tailored to perform a discrete function on any data to which it is passed. The Examiner has interpreting this to be "an event and an action". Applicants respectfully traverse. The event and action in amended claims 1, 8, and 15 is described in the received document for at least one base copy type, which is not taught or suggested by code components. At Col. 8, lines 5-11, the Goiffon patent describes that new versions of tools may be installed over time, and when this occurs, updated versions of the associated elements are also created and interrelated. The Examiner is interpreting "interrelated" to be "those actions that are part of a lager action and depend on the larger action for their justification." Applicants respectfully traverse. The Goiffon patent uses the term interrelated to describe elements, not actions. For example, at Col. 25, lines 63-66, the Goiffon patent describes that one way to identify the interrelated entities is by using Element Viewers 144 to graphically view the specific element "BankStatements" and all elements having a relationship to these elements. Moreover, the Goiffon patent goes on to describe that the relationship between a version of a tool and elements created by the tool are also recorded in the Element Inventory, and the Examiner is interpreting this to be "an event and an action to be performed for that event". Applicants respectfully traverse. The event and action in amended claims 1, 8, and 15 is described in the received document for at least one base copy type, which is not taught or suggested by the relationship between a version of a tool and elements created by the tool being recorded.

As to the document not being directly executable, the Examiner cites Col. 18, lines 51-56, of the Goiffon patent. The cited portion of the Goiffon patent describes, if two version of a code entity exist, two different version of the associated element will exist and these two versions may or may not have relationships with different versions of a different element, depending on the interrelationships existing between the code entities within the system. The Examiner submits that "if the updated program version must reference an update version of a table, the table will further be described by meta-data in a later version of an associated element and relationship will be created between these to later versions of elements", is interpreted to be "converting the

document to executable code". Applicants respectfully traverse. Updating a version of a program does not teach or suggest that the document is not directly executable and converting the document to executable code.

Referencing Col. 13, lines 52-57 of the Goiffon patent, the Examiner submits that wherein the document is not directly executable is disclosed. Applicants respectfully traverse. The cited portion of the Goiffon patent describes a service reading element types and writing them into a file in a predetermined format, which, in preferred embodiments, is XML, and the service is called by scripts which execute on the Script Server. Thus, the scripts call the service to read element types and store them in a file. Applicants submit that a script calling a service to read/write does not teach or suggest wherein the document is not directly executable.

Applicants have further amended claims 1, 8, and 15 to distinguish between a continuous base copy type that refers to a base copy services solution in which copying is performed from a first storage to a second storage when data is written on the first storage and a point-in-time base copy type that refers to a base copy services solution in which a copy of data is made at a given point in time. The Linde patent at Col. 5, lines 28-30, describes the application server 1 can concurrently read and write data blocks on source volume while backup server performs a file-level backup, and the Examiner interprets "concurrently" to be equivalent to "constantly performed". With amended claims 1, 8, and 15 the document describes *a chain of multiple base copy types*. The base copy types *include a continuous base copy type that refers to a base copy services solution in which copying is performed from a first storage to a second storage when data is written on the first storage and a point-in-time base copy type that refers to a base copy services solution in which a copy of data is made at a given point in time.* With these amendments, Applicants believe that they have distinguished a concurrent copy from a continuous copy and distinguished a continuous copy from a point in time copy.

Thus, claims 1, 8, and 15 are not taught or suggested by the Linde or Goiffon patents, either alone or in combination.

Dependent claims 2-7, 9-14, and 16-20 incorporate the language of one of independent claims 1, 8, and 15 and add additional novel elements. Therefore, dependent claims 2-7, 9-14, and 16-20 are not taught or suggested by the Linde or Goiffon patents, either alone or in combination, for at least the same reasons as were discussed with respect to claims 1, 8, and 15.

Conclusion

For all the above reasons, Applicants submit that the pending claims 1-20 are patentable over the art of record. Applicants have not added any claims. Nonetheless, should any additional fees be required, please charge Deposit Account No. 09-0449.

The attorney of record invites the Examiner to contact her at (310) 553-7973 if the Examiner believes such contact would advance the prosecution of the case.

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